

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

Blue Spike, LLC,

*Plaintiff,*

V.

TEXAS INSTRUMENTS, INC., et  
al.,

*Defendants.*

CASE NO. 6:12-cv-499 MHS

## LEAD CASE

## Jury Trial Demanded

Blue Spike, LLC,

*Plaintiff,*

V.

CBS CORP. and LAST.FM LTD.,

*Defendants.*

CASE NO. 6:12-cv-594 MHS

## CONSOLIDATED CASE

## Jury Trial Demanded

**UNNOPOSED MOTION FOR LEAVE  
TO SERVE WRITTEN JURISDICTIONAL DISCOVERY ON  
DEFENDANT LAST.FM LTD. AND FOR EXTENSION OF TIME TO  
RESPOND TO MOTION TO DISMISS**

Plaintiff Blue Spike, LLC (“Blue Spike”) respectfully moves the Court for leave to serve written jurisdictional discovery on Last.fm Ltd. (“Last.fm”) before the Rule 26(f) conference and prior to responding to CBS Corp. and Last.fm’s MOTION TO DISMISS (Dkt. No. 520) (“Motion to Dismiss”). In support of its Motion, Blue Spike will show the following.

Plaintiff filed its Amended Complaint for Patent Infringement against CBS Corp. and Last.fm on December 6, 2012. On March 11, 2013, CBS Corp. and Last.fm filed the Motion to Dismiss, alleging inter alia, that this Court

lacked personal jurisdiction over Last.fm. Blue Spike's Response to the Motion to Dismiss was due March 28, 2013. Blue Spike has filed an unopposed motion for an extension of time to file its Response to the Motion to Dismiss to April 11, 2013. Prior to responding, Blue Spike needs written jurisdictional discovery, and a further extension of time to respond until after discovery is taken. CBS Corp. and Last.fm are unopposed to this request. Accordingly, the plaintiffs request the Court to grant this motion and for any other relief to which they are justly entitled.

Respectfully submitted,

/s/ Christopher A. Honea

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### **Certificate of Service**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email.

/s/ Christopher A. Honea

### **CERTIFICATE OF CONFERENCE**

I certify that on behalf of Blue Spike, LLC., I have met and conferred with counsel for Defendants on May 9, 2013 regarding the relief requested herein. Counsel for Defendants have indicated that they are unopposed to leave being granted for serving jurisdictional discovery and extension of time to respond to the motion to dismiss.

/s/ Christopher A. Honea